\* DEPUTY ZONING COMMISSIONER \* OF BALTIMORE COUNTY

\* Case No. 90-359-A

Robert Erich, et ux Petitioners

3rd Councilmanic District

\* \* \* \* \* \* \* \* \* \* FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 21 feet in lieu of the minimum required 30 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Mrs. Susan B. Ern , appeared, testified and were represented by Philip A. Petty, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 2309 Eastridge Road, consists of 12,000 sq.ft. zoned D.R. 3.5 and is improved with a single family dwelling which has been Petitioners' residence for the past 13 years. Petitioners are desirous of constructing a two story 20' x 24' addition to the rear of the existing structure to provide more habitable space for their family. The proposed addition will permit the enlargement of the existing kitchen and dining room areas on the first floor and the addition of a library to the second floor. Testimony indicated that Petitioners have spoken to their adjoining neighbors who have no objections to their plans. Evidence of their discussion has been submitted by letters of approval marked Petitioner's Exhibits 4 and 5. Additionally, Petitioners submitted proof of approval by the Architectural Committee of the Coachford Improvement Association. Ms. Erich testified that due to the unique characteristics of the subject property, the proposed improvements cannot be constructed without the requested variance.

Testimony indicated that the relief requested will not result in any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Word day of March, 1990 that the Petition for Zoning Variance to permit a rear yard setback of 21 feet in lieu of the minimum required 30 feet for a proposed addition in accordance with Petitioner's Exhibit 1 be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

(MNo)now. ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

February 5, 1990

NOTICE OF HEARING

of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as

Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106

Patition for Zoning Variance CASE NUMBER: 90-359-A NE/S of Eastridge Road, 30° E of c/l of Hartfell Road 2309 Eastridge Road 8th Election District - 3rd Councilmanic Petitioner(s): Robert Erich, et ux

HEARING: MONDAY, MARCH 19, 1990 at 9:30 a.m.

Variance: To permit a 21 ft. rear yard setback in lieu of the minimum 30 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or prewanted at the hearing. J. Robert faires

ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

cc: Mr. & Mrs. Erich Philip A. Petty, Esq.

Baltimore County Zoning Commissioner Office of Flanning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Robert Erich

2309 Eastridge Road Timonium, Maryland 21093

Re: Petition for Zoning Variance CASE NUMBER: 90-359-A NE/S of Eastridge Road, 30' E of c/l of Hartfell Road

2309 Eastridge Road 8th Election District - 3rd Councilmanic Petitioner(s): Robert Erich, et ux HEARING: MONDAY, MARCH 19, 1990 at 9:33 . m.

Dear Petitioner(s):

Please be advised that \$142.77 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)
RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

· Please make your check payable to daltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

cc: Philip A. Petty, Esq.

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property siture in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1907.308 - Sec. 208.4. R.10., 1963.) To permit a 21 foot rear yard setback in lieu of the minimum 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Petitioners desire to construct a 20' x 24' addition onto the rear of their home which is located on a corner lot. However, addition would have to be substantially smaller due to 30' minimum rear-yard depth requirement.

Property is to be posted and advertised as prescribed by Zoming Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County,

I/We do solemnly declare and affirm,

under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser: NWIS! Susan B. Erich (Type or Print Name) (Type or Print Name) Robert Erich (Type or Print Name) Attorney for Petitioner: 2309 Eastridge Road Philip A. Petty Melina Telly Timonium, MD 21093 Name, address and phone number of legal owner, con-1426 East Joppa Road tract purchaser or representative to be contacted Philip A. Petty, Attorney At Law 1426 E. Joppa Rd., Towson, MD 21204 321-6000 City and State Attorney's Telephone No.: 321-6000

ESTIMATED LINCTH OF HEARING (=1/200) +1MR.

LINCH, TELL'S /NEO, - HAMP THO HOUSES

OFFICE OF DEED 1/3/90

DETZ 1/3/90

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting 3/2/90 Petitioner: 486 of Erich of av Location of property: NELS Eastrides Rd. 30 E/Hortfull Rd. Location of Signer Foc 1ing Fos /31 day Rdi, apprex, 20 For Yordway,

Or fro for 14 of for 1 leave

90-359-H

## ZONING DESCRIPTION

Beginning at the northeast corner of the intersection of Eastridge Road and Hartfell Road, being Lot #10, Block O, Section One, in the subdivision of Coachford as recorded in Baltimore County Plat Book 29, Folio 98. Also known as 2309 Eastridge Road in the Eighth (8th) Election District.

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 22, 1990 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_\_\_ successive weeks, the first publication appearing on Jel 22, 19 90.

THE JEFFERSONIAN.

S. Leve Delisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 22, 1990 THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed

S. cone vilan

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesspeake Avenue in Towson, Maryland 21204 as inflowed:

Petition for Zoning Variance Case number: 90-359-A NE/S of Eastridge Road, 30 E of cA of Hartfell Road

3rd Councilmanic Petitioner(s): Robert Erich, et ux Hearing Date: Monday, Mar. 18, 1990 et 9:30 a.m.

Variance: to permit a 21 ft. rear yard setback in lieu of the min-

yarg second in Neu of the Indian in Indian 30 ft.

In the event that this Pettion is granted, a building permit may be issued within the thirty (30) day appeal period. The ZC ing Commissioner will, however, entertain pay request for a stay of the incomment of the Indian thing the Indian I

suence of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or

presented at the hearing.
NOTE:
(If "PHASE If" of the "SNOW EMERGENCY PLAN" is in effect in Battmore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. ROBERT HAINE

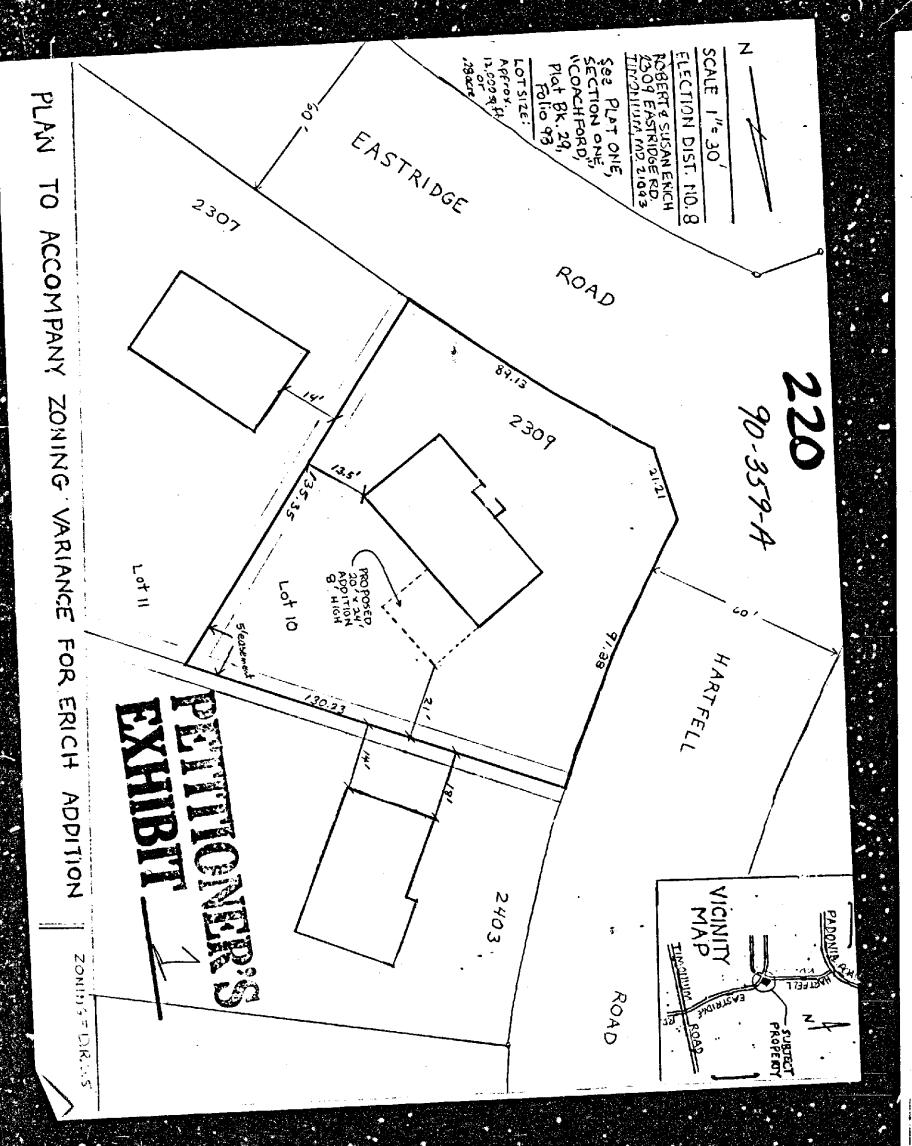
A MOTICE OF HEATING

The Zoning Commissioner of Bathmore County, by authority of the Zoning Act and Regulations of Bathmore County will note a public hearing on the property identified herein in Room 106 of the County Office Building, to cated at 111 W. Chaespeele Avenue in Fowson, Maryland 21204 se follows:

Petition for Zoning Verismo Case number: 90:356-A NE/S of Eastridge Road, 3 E of of Harriel Road 2309 Eastridge Road 8th Election District

Variance: to pornit a 21 ft, rear yard solback in lieu of the min-

any request for a stay of the is-rusnos of said permit during this



Donald H. Craver

Jo Whom It May Concern:

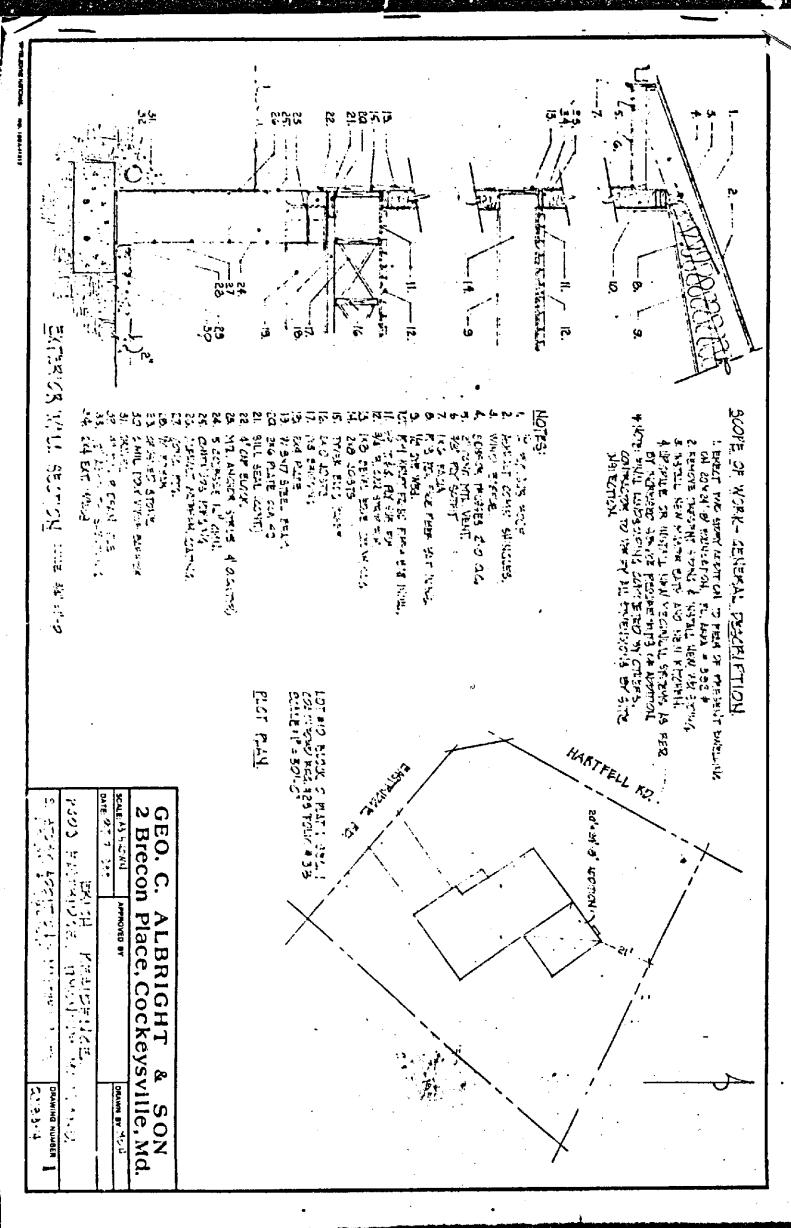
as a next-door neighbor, I have no objections
whatsoever to Mn. and Mrs. Robert Erich's proposed
abdition to their home at 2309 Eastridge Rd. (21093).

I, therefore, July support their appeal to the
Zoning Board for a variance.

Lonald 7. Craver October 27, 1989

Pet No. 4

2307 Eastridge Road • Timonium, Maryland 21093



Pet. Exhibit No. 2

2403 Hartfell Road Timonium, MD 21093 November 20, 1989

Mr. and Mrs. Robert A. Erich, Jr. 2309 Eastridge Road Timonium, MD 21093

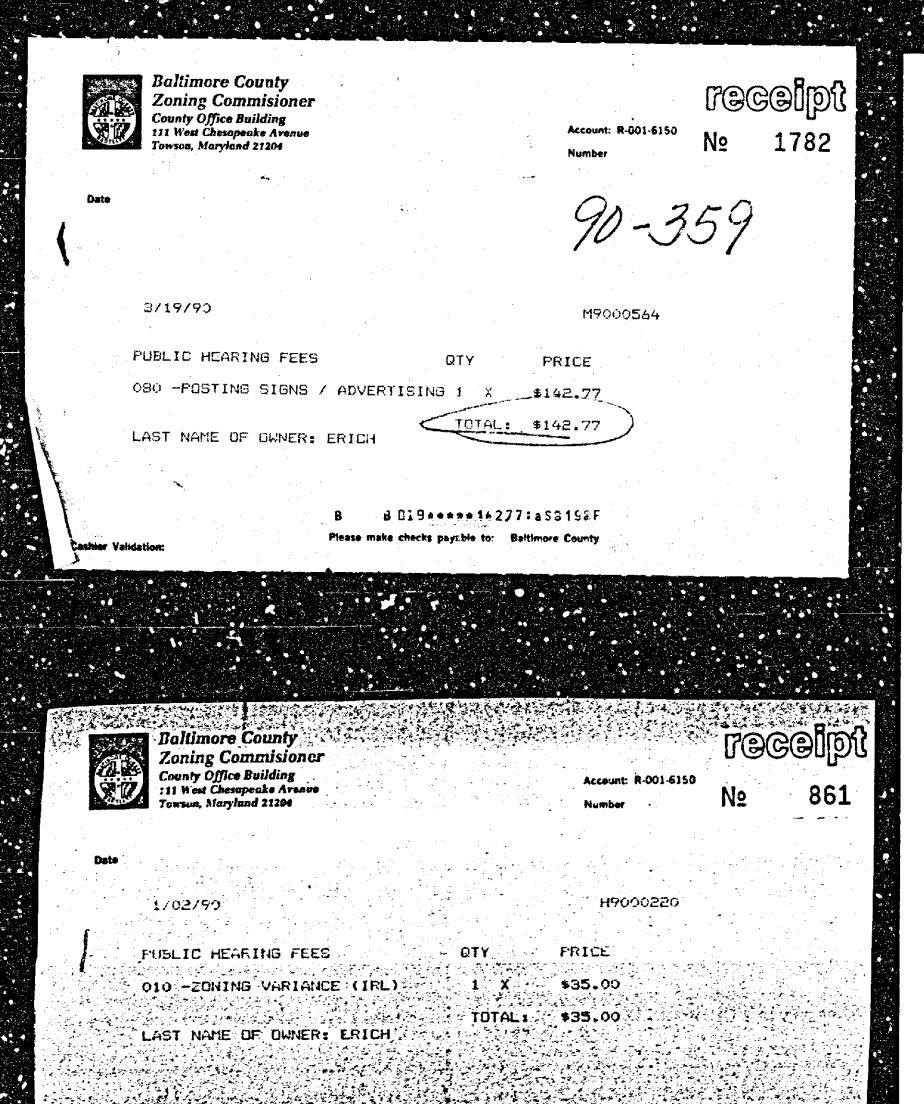
Dear Rob and Sue:

We have reviewed the plans for your home remodeling project. We accept the addition to the back of your house as presented to us on Drawing #09189-14, dated October 7, 1989. We do not object that the back of your house will be 21', instead of the usual 30', from the property line.

Sincerely,

Prawcen In Lakin Maureen M. Larkin

- ARCHITECTURAL COMMITTEE FORM		•
COACHFORD IMPROVEMENT ASSOCIATION HOME IMPROVEMENT PROPOSAL		1
Owner's Name COURT + SUSAN ERICH Phone 252-4963	PENCHITTION.	Ъ 1 1
Address 2309 EASTRINGE RS	THEIR OF TREBUIT DWELLING	· .
Type of Improvement (check item)	ATAIL HEN YN SWING	
	TO NET! KITCHISH.	
ADDITIONPATIO OR PATIO ENCLOSUREALTERATIONROOFDECKSIDINGFENCEUTILITY SHEDGARAGEOTHER	HETTIONS BY SITE TO BO'S 21'-B' APOITION'S	
Describe Work To Be Done  Aw a 20' x 24 L8" ADDITION TO THE REAR OF THE HOUSE & STERY		
(Any alteration/addition should be accompanied by a drawing) .		
Type of materials to be used and color scheme if different than existing house.	L. Charles de la constant de la cons	
THE HOUSE WILL IHAVE STAINED LIGHT GREY OR LIGHT TAN		
CEDAN SIDING		
It is suggested that neighbors on either side of homeowner be	LOT # 10 BLOCK O PLAT 1 OF C. 1  COLOR FOULT FIRE #25 FOLIK # DE  SCALE : 1" = 50'-0"	
notified of said project.		
This approval form of the Coachford Community Association shall have no bearing on said homeowner's responsibility to obtain the proper permits and follow the guidelines of the Baltimore County Code.	PLOT PLAH.	
HOMEOWNER SIGNATURE Som S. Enle		·
APPROVED Mileaul DATE 10/25/87 DISAPPROVEDDATE	GEO. C.	ALBRIGHT & SON
Charmen of Archirectual Commuttee THIS PROPOSAL SHOULD BE SUBMITTED TWO WEEKS BEFORE MONTHLY MEETINGS AND BEFORE OBTAINING PERMITS. MONTHLY DIRECTOR'S MEETINGS ARE ON THE SECOND MONDAY OF THE MONTH. NO MEETINGS IN JULY, AUGUST.	2 Brecon	Place, Courcys vitte, Man
PLEASE SUBMIT THE FORMS TO EITHER ERNIE SULLIVAN AT 252-3022 OF ELAINE MIGINSKY AT 252-3136 Chuck Milcarek 628 1205	たら1000 11/01 11 11 11 11 11 11 11 11 11 11 11 11 1	DUE, AMONIUM KARALATA
Pet No 3	4" =1'-0  E. 27017 LODIT	FIDH - MISTER OFF COLES-14



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner March 12, 1990 Philip A. Petty, Esquire 1426 E. Joppa Road Towson, MD 21204 RE: Item No. 220, Cese No. 90-359-A Petitioner: Robert Erich, et ux Petition for Zoning Variance Dear Mr. Petty: The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391. Zoning Plans Advisory Committee JED:jw Enclosures cc: Mr. & Mrs. Robert Erich 2309 Eastridge Road Timonium, MD 21093

Pet. No 5

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 (301) 887-3353



Your petition has been received and accepted for filing this

1st day of February, 1989.

J. Robert Springe J. ROBERT HAINES ZONING COMMISSIONER

Petitioner: Robert Erich Petitioner's Attorney: Philip A. Petty BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

DATE: February 1, 1990

FEB 0 7 1900

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Susan B. Erich, Item 220

The Petitioner requests a Variance to permit a 21 ft. rear yard setback in lieu of the minimum 30 ft.

In reference to the Petiti rer's request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211. comments.

PK/JL/cmm

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500

Paul H. Reincke Chief

FEBRUAR' 1, 1990

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

RE: Property Owner:

Location:

NE/S OF EASTRIDGE ROAD

ROBERT ERICH

Zoning Agenda: JANUARY 30, 1990 Item No.: 220

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Planning Group Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for January 30, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 220, 221, and 225

Revised Item 128 - Elderly Housing - 6348 Frederick Road: Previous County Review Group Plan entitled "Paradise Professional Center" was approved 5-20-88. Due to revision of the site layout and use, a new County Review Group plan will be required for this site.

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

RWB:s

Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353 J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Robert Erich 2309 Eastridge Road Timonium, Maryland 21093

RE: PETITION FOR ZONING VARIANCE NE/S Eastridge Road, 30' E of the c/l of Hartfell Road (2309 Eastridge Road) 8th Election District - 3rd Councilmanic District Robert Erich, et ux - Petitioners Case No. 90-359-A

Dear Mr. & Mrs. Erich:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

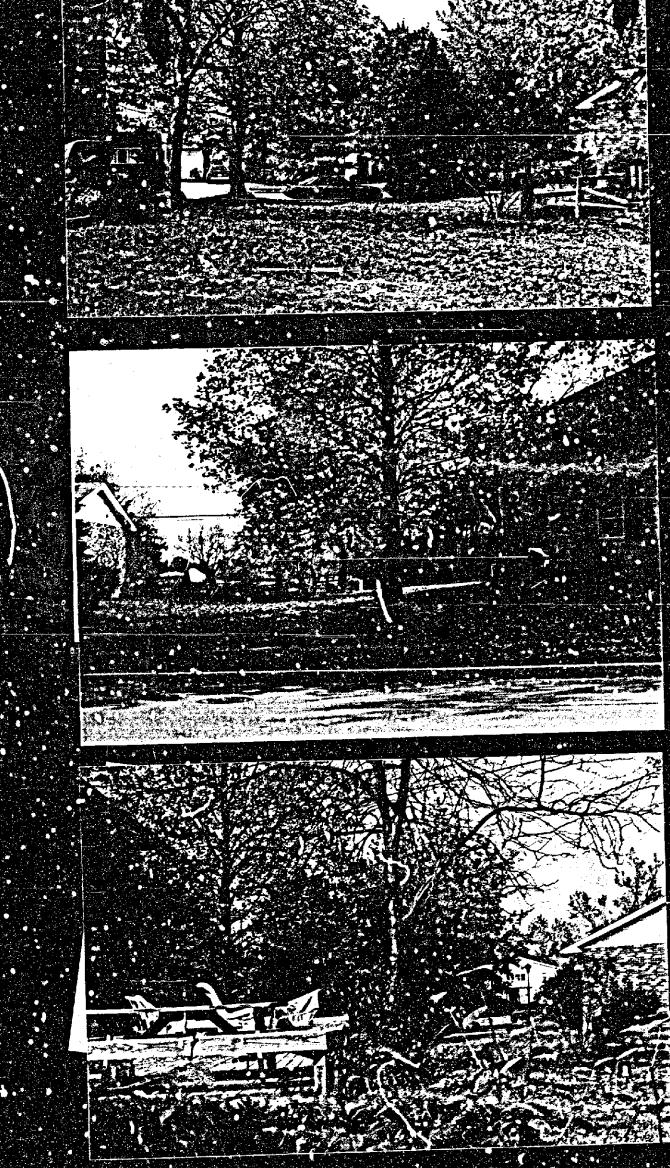
Q-NN-town

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Dennis F. Rasmussen
County Executive

cc: People's Counsel

Philip A. Petty, Esquire 1426 E. Joppa Road, Towson, Md. 21204





PO e mae

Dennis F. Rasmussen County Executive

